

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PURCELL BRONSON	:	CIVIL ACTION
	:	
v.	:	
	:	
PAMELA DEMBE, AND THE COMMON	:	
PLEAS COURT OF PHILADELPHIA	:	NO. 10-0569

M E M O R A N D U M

FULLAM, SR. J.

MARCH 8, 2010

Plaintiff, a state prisoner, is seeking to bring a civil action without prepayment of fees, alleging that he is being denied due process in the adjudication of pleadings which he filed in the Court of Common Pleas of Philadelphia. He seeks injunctive and declaratory relief.

Pursuant to 28 U.S.C. § 1915(g), a prisoner who on three or more prior occasions while incarcerated has filed an action in a federal court that ^{was} ~~was~~ dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted (three strikes), must be denied in forma pauperis status unless he was in imminent danger of serious physical injury at the time that the complaint was filed. Abdul-Akbar v. McKelvie, 239 F.3d 307 (3d Cir.), cert. denied, 533 U.S. 953 (2001).

In this case, the Court finds that plaintiff has at least three strikes. See e.g. Bronson v. Beaven, No. 08-3981 (3d Cir. Order filed Feb. 26, 2009 denying petitioner leave to proceed in forma pauperis because "Bronson has had at least three cases dismissed as frivolous. See C.A. 97-3056, 96-7771 and 93-

3307."). The Court need not look further than Third Circuit precedent for evidence of three strikes.

Furthermore, plaintiff has not alleged anything in the complaint that would merit the grant of in forma pauperis status notwithstanding his three strikes.

Accordingly, plaintiff's motion to proceed in forma pauperis will be denied.

An appropriate order follows.